

BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

In re:

YUNG HIE KOH, M.D.

CONSENT ORDER

The West Virginia Board of Medicine and Dr. Yung Hie Koh, freely and voluntarily enter into the following ORDER pursuant to West Virginia Code §30-3-14(n):

FINDINGS OF FACT

1. Dr. Koh is currently the holder of a license to practice medicine and surgery in West Virginia, No. 9585, issued originally in 1972;
2. Dr. Koh's address is 5 Princeton Medical Arts Clinic, Princeton, West Virginia, 24740;
3. A review of medical charts maintained by Dr. Koh reveals inadequate recordkeeping in terms of patient histories, physical examination findings, test results, and treatment rendered;
4. A review of medical charts maintained by Dr. Koh also reveals frequent and repeated administration of intravenous Decadron for child respiratory tract disorders.

CONCLUSIONS OF LAW

1. The West Virginia Board of Medicine concludes that the aforementioned facts constitute a violation of West Virginia Code §30-3-14(c)(11) and (c)(13):

- (11) Failing to keep written records justifying the course of treatment of a patient, such records to include, but not be limited to, patient histories, examination and test results and treatment rendered, if any.
- (13) Prescribing, dispensing, administering, mixing or otherwise preparing a prescription drug, including any controlled substance under state or federal law, other than in good faith and in a therapeutic manner in accordance with accepted medical standards and in the course of the physician's or podiatrist's professional practice.

2. It is further concluded that the aforementioned facts constitute a violation of West Virginia Legislative Rules, West Virginia Board of Medicine, Chapter 30-3, Series I (1983) Regulation §§19.1(v) and (w):

- 19.1. The Board may deny an application for a license or permit, place a licensee or permit holder on probation, suspend a license or permit, limit or restrict a license or permit, or revoke any license or permit heretofore or hereafter issued by the Board, upon satisfactory proof that the licensee or permit holder has:
 - v. Failed to keep written medical records justifying the course of treatment of the patient, including, but not limited to, patient histories, examination results and test results;
 - w. Exercised influence on the patient or client in such a manner as to exploit the patient or client for financial gain of the licensee or of a third party, which shall include, but not be limited to, the promoting or selling of services, goods, appliances or drugs, and the promoting or advertising on any prescription form of a community pharmacy. For the purposes of this paragraph, it shall be legally presumed that prescribing, dispensing, administering, mixing or otherwise preparing legend drugs, including all controlled substances, inappropriately or in excessive or inappropriate

quantities, is not in the best interests of the patient and is not in the course of the physician's professional practice, without regard to his intent....

CONSENT

Yung Hie Koh, M.D., by affixing his signature hereon agrees, solely and exclusively for purposes of this agreement and the entry of the ORDER provided for and stated herein, and proceedings conducted in accordance with this ORDER, to the following:

1. Dr. Koh acknowledges that he is fully aware that, without his consent, no permanent legal action can be taken against him except after a hearing held in accordance with West Virginia Code §30-3-14(h) and §29A-5-1, et seq.;

2. Dr. Koh acknowledges that he has the following rights, among others: the right to a formal hearing before the West Virginia Board of Medicine, the right to a reasonable notice of said hearing, the right to be represented by counsel at his own expense, and the right to cross-examine witnesses against him;

3. Dr. Koh waives all such rights to a hearing;

4. Dr. Koh consents to the entry of this ORDER affecting his privilege to practice medicine and surgery in the State of West Virginia;

5. Dr. Koh understands that this ORDER is considered public information pursuant to West Virginia Code §30-3-9(h).

ORDER

WHEREFORE, on the basis of the foregoing findings of fact and conclusions of law and on the basis of the consent of Dr. Koh, the West Virginia Board of Medicine hereby ORDERS that the medical license of Dr. Yung Hie Koh be placed in a twelve month probationary status with the following terms and conditions effective immediately:

1. That Dr. Koh be publicly reprimanded by the Board;
and

2. That Dr. Koh shall enroll in a pharmacological education course within the next twelve months which is approved by the Board.

The failure of Dr. Yung Hie Koh to comply in satisfactory fashion with the terms of this ORDER may constitute grounds for the revocation of his medical license in West Virginia.

DATE November 25, 1985

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WEST VIRGINIA BOARD OF MEDICINE

David K. Heydinger, M.D.
DAVID K. HEYDINGER, M.D.
Secretary

S. Eileen Catterson, M.D.
S. EILEEN CATTERSON, M.D.
President

REVIEWED AND AGREED TO:

Yung Hie Koh
YUNG HIE KOH, M.D.

DATE 11/27/85